



10/12/05

FINAL PASSAGE

SB 751 (Allen)

SB 751 specifies that Summer Resort Associations (authorized by a 1929 law) may assess and collect dues only with the approval of the membership. Also that unless the bylaws of the Association specify otherwise the dues must be approved by a majority of the members, rather than a majority of the votes cast.

- *Committee 1 (S-1) was adopted. (10/11)*
- *SB 751 was moved to 3rd Reading.*
- **SB 751 passed [RC 468: 36 yes, 0 no].**

SB 785 (Bishop)

SB 785 would require a person who desired to send an e-mail message prohibited under current law to obtain prior consent to receive the message from an age-verified adult.

Last session, the Legislature enacted the Michigan Children's Protection Registry Act in an effort to keep certain spam emails (such as those advertising tobacco or alcohol products, pornography, or gambling) away from children. Individuals are able to register email addresses of minors with the state, and e-marketers of the prohibited products are required to periodically compare their email databases with the state's to ensure that no one on the registry is being marketed to; a fee is charged the marketer, which is not to exceed 3 cents per email checked.

- *Committee 1 (S-1) was adopted. (10/11)*
- *SB 785 was moved to 3rd Reading.*
- **SB 785 passed [RC 470: 37 yes, 0 no].**

HB 4638 (Garfield)

HB 4638 would amend the Michigan Code of Military Justice to: 1) clarify the kinds of, and reasons for, courts-martial; 2) revise certain disciplinary punishments; extend the list of property crimes; 3) prohibit the use of a controlled substance while on duty; 4) establish "lack of mental responsibility" as a defense in a trial by court-martial; 5) and prohibit a person from using contemptuous words against political and military leaders.

Under the bill, the code would apply more broadly -- to all members of the state military forces when not in federal services and to all other people lawfully called, ordered, drafted, transferred, or inducted into, or ordered to duty in or with the state military forces, from the date they are required by the terms of the call, order, or

other directive. Those subject to the code would include all persons serving in the state military forces and all persons of the state military forces in active service.

- *Stamas 1 (1 amend) was adopted. (10/11)*
- *HB 4638 was moved to 3rd Reading.*
- **HB 4638 passed with IE [RC 467: 33 yes, 0 no].**

HB 5055 (Caswell)

HB 5055 would extend a tax (Quality Assurance Assessment) to include governmentally-owned nursing homes (county medical care facilities) in the assessment. Previously, these homes have benefited from Medicaid special financing which has been phased out by the federal government. Current law assesses the fee on nursing homes and long-term care facilities, but not governmentally-owned nursing homes. HB 5055 would allow the State to increase the amount of tax it retains from \$21.9 million to \$39.9 million, for \$18.0 million savings.

- *Committee 1 (S-1) was adopted. (10/11)*
- *HB 5055 was moved to 3rd Reading.*
- **HB 5055 passed with IE [RC 469: 36 yes, 0 no].**

THIRD READING

SB 506 (OLSHOVE)

SB 506 would prohibit the open-water disposal of contaminated dredge materials in the waters of the state. The bill would define "open water disposal of contaminated dredge materials" as the placement of dredge materials contaminated with toxic substances into the open waters of the waters of the state

Civil fines would range from \$500 to \$5 million. Criminal fines would start at \$2,500 and could be imposed in amounts greater than \$1 million. (Fines in the upper range are imposed if the defendant's actions pose or posed a substantial endangerment to the public health, safety, or welfare.) A felony conviction for a violation of this part could result in up to five years' imprisonment. Civil fines would be deposited into the General Fund and criminal fines benefit local libraries.

- **Committee 1 (S-1) was adopted.**
- **SB 506 was moved to 3rd Reading.**

SB 663 (Patterson)

SB 663 would provide a tax cut for large temporary employment agencies. There is an excess compensation deduction that is in place for wage intensive industries. This would raise the deduction from 37% of the adjusted tax base to 50% for temp agencies with more than 1,000 employees. This would cut business taxes by \$3.5 million.

Support: Kelly Services.

Oppose: AFL-CIO.

- **Committee 1 (S-1) was adopted.**
- **SB 663 was moved to 3rd Reading.**

SB 664 (George)
SB 665 (Goschka)
SB 666 (Sanborn)
SB 667 (Jelinek)

SBs 664-67 would require the Department of Labor and Economic Growth to establish, by December 31, 2006, a procedure for accepting the delivery of documents (required to be filed under current laws) by electronic transmission. Providing for the electronic transmission of business documents would ease the filing process for numerous businesses and nonprofit organizations that are required to submit documents to DLEG. Electronic filing would be a more efficient procedure for businesses and nonprofits operating in Michigan and could make the State a more attractive site for business development and relocation.

SB 664:

- Committee 1 (S-1) was defeated.
- Allen 2 (S-4) was adopted.
- SB 664 was moved to 3rd Reading.

SB 665:

- Committee 1 (S-1) was defeated.
- Allen 2 (S-4) was adopted.
- SB 665 was moved to 3rd Reading.

SB 666:

- Committee 1 (S-1) was defeated.
- Allen 2 (S-4) was adopted.
- SB 666 was moved to 3rd Reading.

SB 667:

- Committee 1 (S-1) was defeated.
- Allen 2 (S-4) was adopted.
- SB 667 was moved to 3rd Reading.

SB 722 (BARCIA)
SB 723 (Bishop)
SB 724 (Bishop)

SB 722 would increase the fees for application, licensure, registration, and temporary practice to engage in public accounting and impose a peer review fee on those engaging in, or seeking to engage in, public accounting. This would increase revenues by approximately \$1.7 million per year.

- Committee 1 (2 amends) was adopted.
- BARCIA 2 (S-1) was adopted.
- SB 722 was moved to 3rd Reading.

SB 723 would elevate from a misdemeanor to a felony, and increase the penalties for, the unauthorized practice of public accounting and the misuse of titles and abbreviations restricted for CPAs. Currently, a violation is punishable by up to one year's imprisonment and/or a maximum fine of \$5,000; under the bill, it would be punishable by up to five years' imprisonment and/or a maximum fine of \$25,000.

- Committee 1 (9 amends) was adopted.

- Bishop 2 (S-1) was adopted.
- SB 723 was moved to 3rd Reading.

SB 724 would include the unauthorized practice of public accounting in the sentencing guidelines. The offense would be a felony with a statutory maximum sentence of five years' imprisonment.

- Committee 1 (S-1) was adopted.
- SB 724 was moved to 3rd Reading.

HB 4737 (CUSHINGBERRY)

HB 4737 would provide that all of the revenue generated from the Detroit City utility users tax shall be used to hire and retain police officers. The bill also would remove language which lowers the tax once revenues collected by it exceed \$47.25 million.

In an April 2005 analysis of Mayor Kilpatrick's 2006 Executive Budget, the City of Detroit Auditor General noted that the projected utility user tax revenue for 2004-05 was \$53 million (\$8 million above the revenue threshold). This would require the city to use the additional revenue to hire police officers above the 1984 level of 3,537 officers or reduce the rate to 4.25 percent. Apparently, after layoffs in recent months, the number of officers will not reach 1984 levels, and a rate reduction will be required by law.

- Committee 1 (S-1) was adopted.
- CLARKE 2 (2 amends) was defeated. This would require all revenues be used to hire patrol police officers.
- HB 4737 was moved to 3rd Reading.

RESOLUTIONS

SR 57 (Patterson)

SCR 27 (Patterson)

Resolutions expressing opposition to the study and construction of an international border crossing in the Downriver area.

- SR 57 and SCR 27 were adopted [no RCs].

SCR 30 (Johnson)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase II) Engineering and Science Building Renovations Engineering Laboratory Building Addition.

- SCR 30 was adopted [RC 471: 37 yes, 0 no].

SCR 31 (Johnson)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan

relative to the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase II) Engineering and Science Building Renovations Science Building Addition.

- SCR 31 was adopted [RC 472: 36 yes, 0 no].

SCR 32 (Johnson)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Central Campus Renovations Phase II Literature, Science, and the Arts Building.

- SCR 32 was adopted [RC 473: 37 yes, 0 no].